

ORIGINAL

CC: DAE
MYLES S. BREINER 4364
Attorney at Law
345 Queen Street, Suite 200
Honolulu, Hawaii 96813
Telephone: (808) 526-3426

Attorney for Defendant
KEITH SEICHI IMAI

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

NOV 24 2006

at 9 o'clock and 15 min. A M
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,) Cr. No. 05-00189-01 DAE
)
Plaintiff,)
)
v.)
)
KEITH SEICHI IMAI)
) NOTICE OF MOTION;
Defendant.) MOTION TO DISMISS FOR
) PROSECUTORIAL MISCONDUCT;
) MEMORANDUM IN SUPPORT;
) DECLARATION OF COUNSEL;
) CERTIFICATE OF SERVICE
)
) Date: _____
) Time: _____
) Judge: _____
)

NOTICE OF MOTION

TO: CHRIS THOMAS
Assistant U.S. Attorney

Room 6100 PJKK Federal Building
300 Ala Moana Blvd., Box 50183
Honolulu, Hawaii 96850

PLEASE TAKE NOTICE that the attached motion will be heard
before the Honorable _____, United States _____
_____, in his courtroom in the United States Courthouse Building, 300 Ala Moana
Boulevard, Honolulu, Hawaii, on _____, the _____ day of _____
_____, 2006, at _____ o'clock _____m. or as soon thereafter as counsel
may be heard.

DATED: Honolulu, Hawaii, 11/24, 2006.



MYLES S. BREINER
Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	Cr. No. 05-00189-01 DAE
)	
Plaintiff,)	
v.)	
)	
KEITH SEICHI IMAI,)	
)	MOTION TO DISMISS FOR
Defendant.)	PROSECUTORIAL MISCONDUCT
_____)	

MOTION TO DISMISS FOR PROSECUTORIAL MISCONDUCT

Defendant KEITH IMAI by and through his undersigned counsel, MYLES S. BREINER, does hereby move this Honorable Court to dismiss the instant indictment with prejudice due to the Government's violation of Defendant Imai's Sixth Amendment Right to Speedy Trial.

This motion is brought pursuant to Rules 12 and 47 of the Federal Rules of Criminal Procedure, and is supported by the Memorandum in Support of Motion and Declaration of Counsel, the records and files in this case, and further argument and testimony which shall be adduced at the hearing on this motion.

DATED: Honolulu, Hawaii, 11/24, 2006



MYLES S. BREINER
Attorney for Defendant